

28 (Pages 106 to 109)

<p>106</p> <p>1 that Cigna's spending on drugs would also increase?</p> <p>2 A. Yes.</p> <p>3 Q. Is that true that the relationship between</p> <p>4 AWP and the price that Cigna pays for drugs, would that</p> <p>5 hold true for the time period 1991 through the present,</p> <p>6 as far as you know?</p> <p>7 MS. SCHOEN: Objection to form.</p> <p>8 A. Again, if I restate it, is the question if I</p> <p>9 saw an inflation by 10 percent, would I be concerned?</p> <p>10 Yes. And if it happened during the time frame of '91</p> <p>11 through current, yes, I'd be concerned.</p> <p>12 Q. But just to put a finer point on it, if I ask</p> <p>13 you if today that AWP's were to rise by 10 percent</p> <p>14 across the board, would Cigna's drug spending increase.</p> <p>15 You said yes.</p> <p>16 My question is would that be true for</p> <p>17 the entire period 1991 to the present?</p> <p>18 A. That there was a 10 percent inflation? Is</p> <p>19 that what you're asking?</p> <p>20 Q. If there were theoretically a 10 percent</p> <p>21 inflation at any point during 1991 to the present,</p> <p>22 would that also increase Cigna's drug spending?</p>	<p>108</p> <p>1 A. Yes.</p> <p>2 Q. So to that degree at least, you use AWP in</p> <p>3 producing a MAC list?</p> <p>4 MS. SCHOEN: Objection to form.</p> <p>5 A. I only use it as an industry standard or</p> <p>6 benchmark that's out there that I have some consistency</p> <p>7 that I can go against.</p> <p>8 MR. NOTARGIACOMO: Let me just check. I</p> <p>9 think that's all the questions I have.</p> <p>10 MR. ST. PHILLIP: I have none. Can we</p> <p>11 dismiss the witness or --</p> <p>12 MS. SCHOEN: I have a couple follow-up</p> <p>13 questions.</p> <p>14</p> <p>15 - REDIRECT EXAMINATION</p> <p>16 BY MS. SCHOEN:</p> <p>17 Q. Mr. Greenebaum, just to clarify, when Cigna</p> <p>18 sets its MAC price list, Cigna does not base that price</p> <p>19 list on AWP, is that correct?</p> <p>20 A. That's correct.</p> <p>21 Q. When Cigna acquires pharmaceutical products</p> <p>22 from wholesalers, the price that Cigna pays is some</p>
<p>107</p> <p>1 MS. SCHOEN: Objection to form.</p> <p>2 A. Yes. That would increase Cigna's drug</p> <p>3 spending.</p> <p>4 Q. You testified also that AWP does not play a</p> <p>5 role in compiling Cigna's MAC list.</p> <p>6 Do you remember that?</p> <p>7 A. Yes, I do.</p> <p>8 Q. But is it true -- I think you mentioned --</p> <p>9 well, let me ask you this.</p> <p>10 Do you track the average percentage off</p> <p>11 AWP that your MAC list represents?</p> <p>12 A. Yes.</p> <p>13 Q. And do you use that as a basis for comparison</p> <p>14 in your negotiations with pharmacies?</p> <p>15 A. No. It shows the results of my MAC program,</p> <p>16 and it's a benchmark number that I use to see whether</p> <p>17 or not my MACs are effectively going up or down in</p> <p>18 terms of my pricing, but I don't use that to negotiate</p> <p>19 pricing with retail pharmacies.</p> <p>20 Q. But you use AWP or the percentage off AWP</p> <p>21 that is represented by your MAC prices as a benchmark</p> <p>22 on which to gauge the direction of your MAC pricing?</p>	<p>109</p> <p>1 percentage above or below the wholesale acquisition</p> <p>2 cost, is that correct?</p> <p>3 A. When we -- to clarify, WAC in a wholesaler</p> <p>4 term, in wholesaler terms, WAC is either our negotiated</p> <p>5 manufacture -- our negotiated price with the</p> <p>6 manufacturer, or what is called WAC, so what we buy our</p> <p>7 drugs for from the wholesaler will be the lesser of WAC</p> <p>8 or our negotiated price, and then a plus or minus</p> <p>9 applied to that.</p> <p>10 Q. So the ultimate price that you pay for</p> <p>11 pharmaceutical products to the wholesaler will bear</p> <p>12 some relationship to the wholesale acquisition cost?</p> <p>13 A. It may or may not.</p> <p>14 Q. And when may not it?</p> <p>15 A. When I have a negotiated price with the</p> <p>16 manufacturer because they load our contract prices in</p> <p>17 their WAC field, so to speak, so it becomes a new WAC.</p> <p>18 Q. Are you talking about a chargeback</p> <p>19 relationship with the wholesaler?</p> <p>20 A. I'm talking about a negotiated arrangement.</p> <p>21 It may have a chargeback in it. It may not.</p> <p>22 Q. And when you purchase pharmaceutical</p>

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1 products, and you have this manufacturer negotiation in	
2 addition to the wholesaler negotiation, the purchase	
3 price bears no relationship to WAC or AWP, is that	
4 correct?	
5 A. When it's a negotiated relationship, yes, it	
6 has no relationship to WAC.	
7 MS. SCHOEN: That's all my questions.	
8 MR. ST. PHILLIP: I believe we're done	
9 with this witness.	
10 (The deposition adjourned at 3:40 PM.)	
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1 CERTIFICATE	
2 I, DIANA M. NOEL, a Registered Professional	
3 Reporter, Certified Realtime Reporter, Licensed	
4 Shorthand Reporter, and Notary Public duly commissioned	
5 and qualified in and for the State of Connecticut, do	
6 hereby certify that there came before me THOMAS E.	
7 GREENEBAUM, who was by me duly sworn and thereupon	
8 testified as appears in the foregoing deposition; that	
9 said deposition was taken by me stenographically in the	
10 presence of counsel and reduced to writing under my	
11 direction; that this deposition is a true record of the	
12 testimony given by the witness.	
13 I further certify that I am neither attorney nor	
14 counsel for, nor related to, nor employed by any of the	
15 parties to the action in which this deposition is	
16 taken, and further that I am not a relative or employee	
17 of any attorney or counsel employed by the parties	
18 hereto, or financially interested in the action.	
19 IN WITNESS THEREOF, I have hereunto set my hand	
20 this 19th day of January, 2005.	
21	
22	
17 DIANA M. NOEL, Notary Public	
18 Registered Professional Reporter	
19 Certified Realtime Reporter	
20 Licensed Shorthand Reporter No. 199	
21 My Commission Expires:	
22 June 30, 2007	

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